

MINUTES OF A REGULAR MEETING OF THE MAYOR AND  
COUNCIL OF THE CITY OF GOODYEAR, ARIZONA, HELD AT THE  
JUSTICE FACILITY, 986 SOUTH LITCHFIELD ROAD, GOODYEAR  
ARIZONA, ON DECEMBER 8, 2003, AT THE HOUR OF 6:00 P.M.

Mayor Jim Cavanaugh called the meeting to order at 6:00 P.M. Councilmember Ken Porter led in the Pledge of Allegiance and Councilmember Fred Scott gave the invocation.

COUNCIL PRESENT: Mayor Jim Cavanaugh and Vice Mayor Dick Sousa  
Councilmembers: Rob Antoniak, Frank Cavalier, Sue Linney,  
Ken Porter, and Fred Scott

STAFF PRESENT: Stephen Cleveland, City Manager; Dee Cockrum, City Clerk;  
James Oeser, City Attorney; and staff.

MINUTES

Minutes of the Regular Meeting held on November 24, 2003, were approved and filed.

APPROVE AND/OR RATIFY EXPENDITURES

None

COMMUNICATIONS

None

CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR

Mayor Cavanaugh asked if there were any comments from the public on non-agenda items. He explained that the Council could listen to their comments but could not respond to them or act upon any item. There being no comments, Mayor Cavanaugh closed the public input process for non-agenda items.

CONSENT

The City Clerk read consent items A, B1, B2, B3, C1, C2, C3, D and E.

Porter requested Item 8.D. be pulled from the Consent Agenda.

MOTION BY CAVALIER, SECONDED BY SCOTT, TO APPROVE  
CONSENT AGENDA ITEMS 8.A B1, B2, B3, C1, C2, C3 and E.

VOTE: PASSED BY THE FOLLOWING (7-0) ROLL CALL VOTE

AYES: Mayor Cavanaugh, Vice Mayor Sousa, and Councilmembers Porter, Linney, Cavalier, Antoniak and Scott

NAYS: None

- 8.A. (03-1799) Council approved the Acceptance of a Water Easement located within the Park Shadows development at 720 N. Litchfield Road.
- 8.B. (03-1865) Council ratified a contract between the City of Goodyear (COG) and US Filter to provide Reverse Osmosis (R/O) wellhead treatment for Nitrate and Fluoride removal of COG Wells 6 and 12b in the amount of \$279,000 and approved the request to transfer \$279,000.00 from the water enterprise, unrestricted fund balance into account number 411-4730-500-44-20. Council also approved the request to transfer associated O&M costs of \$483,650.00 from the water enterprise, unrestricted fund balance into account number 411-4730-441-74-11.
- 8.C. (03-1866) Council ratified a contract between the City of Goodyear (COG) and Basin Water to provide Ion Exchange wellhead treatment for Nitrate removal at COG Well 1 in the amount of \$132,000.00 and approved the request to transfer \$132,000.00 from the water enterprise, unrestricted fund balance into account number 411-4730-500-44-20. Council also approved the appropriation of associated O&M costs of \$184,741.97 from the water enterprise, unrestricted fund balance into account number 411-4730-441-74-11.
- 8.E. (03-1920) Council adopted RESOLUTION 03-900, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT FOR HOMELAND SECURITY GRAND FUNDING; PROVIDING FOR SEPARABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

## BUSINESS

### 8.D. (03-1919) IGA BUCKEYE VALLEY FIRE DISTRICT FOR AMBULANCE SERVICES

Porter suggested three changes: (1) Title-Add the word "Backup" before Ambulance, (2) Add-"failure of other private certificate of need providers and:" (3) Add paragraph #11-"The City currently pays the District \$12,000. There will be no future costs. These services are separate from this agreement."

MOTION BY PORTER, SECONDED BY ANTONIAK, APPROVING RESOLUTION 03-899. AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH BUCKEYE VALLEY FIRE DISTRICT FOR AMBULANCE SERVICES, AS AMENDED; PROVIDING FOR SEPARABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE: PASSED BY THE FOLLOWING (7-0) ROLL CALL VOTE

AYES: Mayor Cavanaugh, Vice Mayor Sousa, and Councilmembers Porter, Linney, Cavalier, Antoniak and Scott

NAYS: None

9.A. (03-1946) STRATEGIC WATER SUPPLY AND MANAGEMENT PLAN

MOTION BY PORTER, SECONDED BY VICE MAYOR SOUSA TO APPROVE THE CITY OF GOODYEAR STRATEGIC WATER SUPPLY AND MANAGEMENT PLAN.

VOTE: PASSED UNANIMOUSLY WITH A (7-0) VOTE.

**Mayor's Summary:** This is a milestone event, which resolves the past water problems. Sincere thanks to Mr. Cleveland (City Manager) and all staff for their work to ensure that the City will always have an adequate water supply.

MOTION BY CAVALIER, SECONDED BY VICE MAYOR SOUSA AUTHORIZING THE FUNDING AND IMPLEMENTATION OF THE SIX-MONTH STRATEGIC WATER SUPPLY AND MANAGEMENT PLAN THROUGH JUNE 30, 2004 IN AN AMOUNT NOT TO EXCEED \$6,103,000.

VOTE: PASSED UNANIMOUSLY WITH A (7-0) VOTE.

**Mayor's Summary:** Total amount includes both total Fiscal Year 03-04 plus Operating and Maintenance for a change in dollar amount to \$6,103,000.

MOTION BY CAVALIER, SECONDED BY ANTONIAK, AUTHORIZING CREATING NEW WATER MANAGEMENT DEPARTMENT AND STAFF POSITIONS TO INCLUDE ONE FTE FOR THE DIRECTOR POSITION IN THE CURRENT FISCAL YEAR OF 03-04 WITH IMPLEMENTATION OF THE NEW DEPARTMENT COMMENCING JANUARY 1, 2004.

VOTE: PASSED UNANIMOUSLY WITH A (7-0) VOTE

**Mayor's Summary:** There will be no additional hires this year, except the Director position. Additional positions will be processed in the 04-05 budget process. This change is a result of a growing progressive City. Grant Anderson praised City Manager Cleveland and Public Works Director Cato Esquivel for stepping up and making this change possible.

**DRAFT**

**9.B. (03-1854) DEVELOPMENT AGREEMENT WITH SUNCHASE ESTRELLA LIMITED**

MOTION BY VICE MAYOR SOUSA, SECONDED BY ANTONIAK, TO APPROVE A DEVELOPMENT AGREEMENT WITH SUNCHASE ESTRELLA LIMITED FOR THE DESIGN/BUILD OF THE RAINBOW VALLEY WATER RECLAMATION FACILITY (RVWRF).

VOTE: PASSED UNANIMOUSLY WITH A (7-0) VOTE.

**Mayor's Summary:** Approve development agreement with SunChase for design build of the Rainbow Valley Water Reclamation Facility (RVWRF).

**9.C. (03-1810) CONTRACT TO ARCHER WESTERN**

MOTION BY VICE MAYOR SOUSA, SECONDED BY CAVALIER, TO APPROVE A CONTRACT IN THE AMOUNT OF \$6.0-MILLION DOLLARS TO ARCHER WESTERN FOR THE DESIGN AND CONSTRUCTION OF THE RAINBOW VALLEY WATER RECLAMATION FACILITY (RVWRF).

VOTE: PASSED UNANIMOUSLY WITH A (7-0) VOTE

**Mayor's Summary:** This is to approve a contract not to exceed \$6.0 million.

**9.D. (03-1914) ORDINANCE 03-879 REZONING 107.27 ACRES OF PROPERTY**

MOTION BY ANTONIAK, SECONDED BY SCOTT, TO POSTPONE UNTIL JANUARY 12, 2004 COUNCIL MEETING.

VOTE: PASSED UNANIMOUSLY WITH A (7-0) VOTE

**Mayor's Summary:** Applicant had concern on Stipulation #14 and item is postponed until January 12, 2004 meeting.

**9.E. (03-1960) SPRING TRAINING AND RECREATIONAL COMPLEX**

Council Received And Discussed Information Regarding Proposed Spring Training And Recreational Complex.

**Mayor's Summary:** (1) Mr. Scott Ruby explained due diligence -Looked at other cities' spring training agreements and reviewed operation and maintenance

of other cities. (2) Operating and Maintenance estimated at \$700-\$900 thousand per budget year. (3) HOK Architech-City of Surprise site plan template. (4) Met with TSA-First time TSA asked to finance single facility and Year 2017 earliest money available. (5) Staffing resources will be challenge with the compressed schedule. (6) Met with landowners and they are very cooperative. (7) TSA 2/3 and City of Goodyear 1/3, ticket revenues 80/20 and other revenues 50/50.

Concerns:

- TSA-2017
- Net loss of Operating and Maintenance
- Personnel cost
- \$10 million City of Goodyear cost.

Moreno agreed-will buy TSA bonds.  
Capital cost overruns will be borne by developer  
Developers are very supportive of 12-month operation.  
Council very supportive.

Council concerns:

- Are we sacrificing other projects
- Linney asked about Big League Dreams project and if developer would consider discussing.
- The public will be kept fully addressed in this process.

Moreno-We would be a partner-TSA will be putting up 1/2, City of Goodyear 1/4 and 1/4 SunChase.

INFORMATION

Vice Mayor Sousa stated that the City of Goodyear will be host to the Western Maricopa Enterprise Zone (WMEZ) on Thursday, Dec. 10<sup>th</sup>. He also gave an update on the AZ Motorsports Park-Noise limits are being recommended to the Maricopa County Board of Supervisors.

Brian Dalke, Director of Economic Development, introduced new employee, Barbara Coffee, who has a redevelopment and advertising background.

**DRAFT**

ADJOURNMENT

There being no further discussion to be brought before the Council at this time the meeting was adjourned at 8:10 p.m.

\_\_\_\_\_  
Dee Cockrum, City Clerk

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James M. Cavanaugh, Mayor

CERTIFICATION OF COUNCIL MINUTES

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular session of the City of Goodyear, Arizona, held on December 8, 2003. I further certify that the meeting was duly called and held and that a quorum was present.

SEAL:      Dated this \_\_\_\_ day of \_\_\_\_ 2003.

\_\_\_\_\_  
Dee Cockrum, City Clerk

**DRAFT**